

REMARKS UNDER 37 CFR § 1.111

Formal Matters

Claims 33-58 are pending after entry of the amendments.

Claim 33 and 34 are amended.

Claims 35-58 have been added.

Support for amended claim 33 and 34 is found in the specification at, for example, page 23, line 29 to page 24, line 14.

Support for new claims 35-58 is found in the specification at, for example, page 11, line 22 to page 12, line 3; page 21, line 15 to page 24, line 26; and Example 2 (pages 34-36, particularly page 36, lines 15-23).

Attached hereto is a marked-up version of the changes made to the specification. The attached page is captioned **"Version with markings to show changes made."**

Applicants respectfully request entry of the amendment.

No new matter has been added.

Interview Summary

Applicants wish to express their gratitude to Examiner Murphy and Examiner Mertz for the interview with the undersigned and with the licensee's representative, Michael Schiff conducted on January 8, 2002. The pending claims were discussed in light of the prosecution history of the parent application. U.S. application serial no. 09/081,385, filed May 4, 1998.

Applicants respectfully submit that the claims are in form for allowance.

Overview of the Claimed Invention

As discussed in the interview, the claimed invention is directed to a method for screening for substances that affect TRRE activity. Thus, the method of the invention can be used to identify substances that enhance or decrease TRRE activity as detected by cleavage of TNF receptor.

Response to Restriction Requirement

Applicants hereby traverse restriction of the claims to the extent the restriction is based on sequence identification number. (SEQ ID NO). Each of the claimed sequences has already been searched in the examination of pending application USSN 09/081,385. Accordingly, it would not be a burden on the Examiner to consider these claims together, and no restriction is permitted (MPEP § 804).

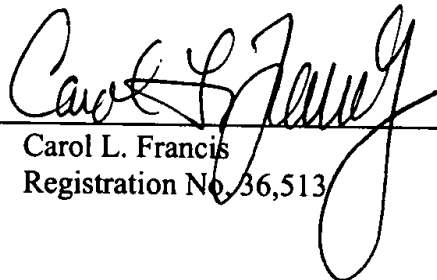
In the event that this restriction is maintained, applicants hereby provisionally elect SEQ. ID NO:9 (which applicants take to be the claim of Group IX) for examination on the merits. Applicants hereby request rejoinder of the other SEQ. ID NOs. into the application upon determination that SEQ. ID NO:9 is free of prior art.

Conclusion

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number IRVN-007CON2.

Respectfully submitted,
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Date: June 17, 2002

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"Version with markings to show changes made."

In the Title:

Replace the title with the following title.

SCREENING FOR DRUGS THAT AFFECT TNF RECEPTOR RELEASING ENZYME

~~FACTORS AFFECTING TUMOR NECROSIS FACTOR RECEPTOR RELEASING ENZYME ACTIVITY~~

In the Claims:

Amend claims 33 and 34 as set out below.

33. (Amended) A method of screening substances for an ability to affect TRRE activity, comprising:

a) incubating TNF receptor or cells expressing TNF receptor with a polypeptide ~~in the presence of the substance~~ and with a polypeptide that causes TNF receptor to be cleaved in the absence of the substance;

b) measuring any TNF receptor cleaved; and

c) correlating any increase or decrease of the receptor ~~released~~ cleaved by the peptide with an ability of the substance to enhance or diminish TRRE activity ;

~~wherein the polypeptide has at least one of the following properties:~~

i) ~~it comprises at least 10 consecutive amino acid residues encoded in any of SEQ. ID NOS:1-10; or~~

ii) ~~it comprises at least 15 consecutive amino acids that are at least 80% identical to a sequence encoded in any of SEQ. ID NOS:1-10 .~~

34. (Amended) The screening method of claim 33, wherein the polypeptide ~~has at least one of the following properties:~~

i) ~~it comprises at least 10 consecutive amino acid residues contained in SEQ. ID NOS: 147-149, 151, or 153-154; or~~

ii) ~~it comprises at least 15 consecutive amino acids that are at least 80% identical to a sequence contained in~~

contains SEQ. ID NOS: 147-149, 151, or 153-154 , r fragment thereof which causes increased release of TNF receptor fr m human cells in which TNF recept r is expressed.